

AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR AN ARREST WARRANT

I, Shawn A. Brown, a Task Force Officer (“TFO”) with the Federal Bureau of Investigation (“FBI”) being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a sworn full-time police officer with the Akron, Ohio Police Department and served in that capacity since graduating from the Akron Police Department Recruit Training Academy in Akron, Ohio in 1995. I am currently assigned as a detective in the Akron Police Department’s Narcotics Unit and have been acting in that capacity since 2000. As part of my duties as a Narcotics Detective, I am also assigned as a full-time Task Force Officer (“TFO”) with the Greater Akron Area Safe Streets Task Force (“AASSTF”) of the Federal Bureau of Investigation (FBI) - Cleveland Division/ Akron Resident Agency (RA).

2. I am submitting this affidavit in support of an Application for an Arrest Warrant pursuant to Federal Rule of Criminal Procedure 41 and 18 U.S.C. 3052, authorizing the arrest of ANTHONY JAMAR MCMULLEN, date of birth (DOB) 03/XX/1989.

3. I am a Task Force Officer on this investigation and, as such, I am fully familiar with the facts of the case either as the result of direct personal participation in the investigation or from verbal or written reports provided to me by FBI agents or law enforcement officers who have participated in the investigation. In that regard, unless otherwise noted, wherever in this affidavit I assert that a statement was made, the information was provided to me by an FBI agent, law enforcement officer, or witness who may have had either direct or hearsay knowledge of that statement and to whom I or others have spoken or whose reports I have read and reviewed. Such

statements are set forth in this affidavit in substance or in pertinent part unless otherwise indicated. Furthermore, since this affidavit is being submitted for the limited purpose of securing an Arrest Warrant, I have not included the details of every aspect of the investigation.

4. Based upon the investigation to date, I assert probable cause exists to believe that on or about February 19, 2020, in the Northern District of Ohio, ANTHONY JAMAR MCMULLEN did commit a violation of Title 21, United States Code, Section 841(a)(1), that is possession with intent to distribute a controlled substance.

BACKGROUND OF THE INVESTIGATION

5. Since approximately November 2019, members of the FBI AASSTF and the Akron Police Department's Anti-Violence Bureau/ Narcotics Unit have received information about the sale of fentanyl in the Akron area. Based on multiple interviews, database checks, and social media research, ANTHONY JAMAR MCMULLEN aka "AJ" aka "Perk Focused", DOB 03/XX/1989, was identified as a fentanyl supplier in the Akron, Ohio area. Records show MCMULLEN has a criminal history in Ohio for crimes related to drug trafficking. MCMULLEN is currently on supervised release from the Ohio Department of Rehabilitation and Corrections and is to be monitored by Ohio State Parole until 2022 for Illegal Manufacturing of Drugs and Drug Trafficking. MCMULLEN'S listed address for parole is 1654 Idlewood Avenue Akron, Ohio 44313.

FACTS AND CIRCUMSTANCES SUPPORTING PROBABLE CAUSE

6. Interviews and investigation showed that despite an apparent lack of legitimate employment, MCMULLEN utilized a number of luxury automobiles to include a Cadillac Escalade bearing Ohio registration HRV5746 and a Dodge Challenger bearing Ohio registration HSM1888. A review of a records maintained by the State of Ohio revealed that both vehicles

were registered to Shavonda Davis, DOB 03/XX/19XX. A review of publicly available social media indicated that Davis is the girlfriend of MCMULLEN, and that the two recently had a child together.

7. On or about December 10, 2019, Summit County Common Pleas Judge J. Oldfield authorized electronic surveillance to monitor the movements of the Cadillac Escalade previously described as being operated and utilized by MCMULLEN. The electronic monitoring was supplemented with physical surveillance by members of the Akron Narcotics Unit and FBI AASSTF. The electronic data combined with physical surveillance revealed that MCMULLEN spent lengthy periods of time, to include almost daily overnight stays, at a residence located at 572 State Mill Road in Coventry, Ohio. A law enforcement database search revealed that 572 State Mill Road to be associated with Shavonda Davis. Davis as described above is believed by investigators to be the girlfriend of MCMULLEN.

8. Surveillance, both electronic and physical, indicated MCMULLEN resided at 572 State Mill Road but regularly traveled to two additional addresses located in Akron, Ohio: 818 Florida Avenue and 2597 Romig Road, Apartment #1G. Records maintained by Summit County identified MCMULLEN as the owner of 818 Florida Avenue, Akron, Ohio. Investigation by law enforcement determined the apartment at 2597 Romig Road, #1G, was rented to a female.

9. On February 11, 2020, surveillance was conducted by members of the FBI AASSTF. MCMULLEN was observed as he departed 572 State Mill Road and traveled to 2597 Romig Road, Apartment #1G, and 818 Florida Avenue before traveling to an address on Nieman Street in Akron, Ohio, where an overdose drug death is known to have occurred in May of 2019.

10. On February 13, 2020 a physical surveillance was conducted by members of the FBI AASSTF. MCMULLEN departed 572 State Mill Road and once again traveled to 2597

Romig Road where he was surveilled exiting his vehicle and entering apartment #1G. Detectives observed a 2020 Kia Optima bearing Ohio registration HUE3431 enter the parking lot to the west of building 2597 and back into a parking spot. MCMULLEN exited apartment #1G and entered the passenger side of the Kia Optima. While walking to the Kia, MCMULLEN was observed to have his left hand in the large pocket in the front of the hoodie sweatshirt that he was wearing, and MCMULLEN was observed to have his right hand underneath the front of his sweatshirt. When MCMULLEN opened the passenger side of the door, he used his left hand. After a short period of time, MCMULLEN exited the vehicle and the Kia Optima drove away. After exiting the vehicle, MCMULLEN was observed to have both his hands outside of any pockets. Surveillance units followed the Kia Optima away from the Romig Road location. Uniformed members of the Akron Police Department's Street Narcotics Uniformed Detail (SNUD Unit) attempted to initiate a traffic stop of the vehicle. The driver of the Kia, later identified as Antonio Felding (DOB of 01/XX/19XX), was boxed in by marked police vehicles. Felding attempted to avoid law enforcement and struck one of the Akron Police Units. As law enforcement approached the vehicle, Felding was observed to have apparently dumped a bag of unknown white powder over his person and the passenger compartment of his vehicle. Detectives on scene were able to recover approximately 19 grams of the white substance. The substance was later tested by a chemist employed by the Ohio Bureau of Criminal Investigation (BCI) and was identified to be Carfentanil.

11. Based upon the above described information, Detective Timothy Harvey obtained three search warrants from the Akron Municipal Court on February 18, 2020, seeking authorization to search the premises at 572 State Mill Road, 2597 Romig Road, Apartment #1G and 818 Florida Avenue.

12. On February 19, 2020, a telephone call was placed to MCMULLEN by his state parole officer. The call went unanswered. After the call was placed, law enforcement observed a white mini-van with Florida plates depart the premises at 572 State Mill Road.

13. Sometime thereafter, MCMULLEN returned the telephone call to his state parole officer and stated that he was currently at his "residence" located at 1654 Idlewood, Akron, Ohio. When law enforcement arrived at the Idlewood address, the same white mini-van bearing a Florida license plate was observed parked on the street.

14. Law enforcement met with MCMULLEN and informed him that search warrants were going to be executed at the State Mill Road, Florida Avenue and Romig Road addresses. MCMULLEN initially denied that he resided on State Mill Road. MCMULLEN added that his mother resided at the Florida Avenue address, but he seldom went there. Finally, MCMULLEN denied having an apartment on Romig Road, but acknowledged that he occasionally had sex with a woman that has an apartment there.

15. MCMULLEN eventually produced keys for the State Mill Road and Florida Avenue residences. MCMULLEN advised that his girlfriend Shavonda Davis and their child would be at the State Mill location and that Davis had rented the white mini-van he was driving. Despite his assertion that he had no ties to the Romig Road Apartment, law enforcement ultimately located a key to the premises concealed inside his wallet. Law enforcement later confirmed the key unlocked Apartment #1G.

16. During the course of the search warrant executed at 572 State Mill Road, law enforcement recovered in excess of \$250,000 in cash and an abundance of mail and documents for MCMULLEN. During the course of the search, law enforcement encountered Shavonda Davis, who advised law enforcement that MCMULLEN was not currently employed and had not

worked for the past several months. Davis stated she and MCMULLEN have been in a relationship for three years and have been living together on State Mill for approximately two and a half years. Davis advised that she was a LPN (Licensed Practical Nurse) but has been unemployed since November, 2019 due to childbirth. Davis added that MCMULLEN had returned the previous evening with several bags full of money. Davis indicated that she attempted to ask MCMULLEN about the money but he refused to answer.

17. Also recovered at the State Mill Road location was a 2018 W-2 Wage and Tax Statement in the name of ANTHONY MCMULLEN. It reflected that MCMULLEN had earned approximately \$3,500 in all of 2018. In my experience, unexplained wealth is often times indicative of persons engaged in illegal criminal activity.

18. During the course of the search warrant executed at 2597 Romig Road, Apartment #1G, law enforcement recovered approximately 21 grams of a powdered substance in a black bag. This substance was later determined via BCI laboratory analysis to be a mixture of Fentanyl and Carfentanil.

19. Based upon the foregoing, I respectfully request that a Warrant be issued authorizing law enforcement officers to arrest ANTHONY JAMAR MCMULLEN, DOB 03/XX/1989 for a

violation of Title 21, United States Code, Section 841(a)(1), possession with intent to distribute a controlled substance.

Respectfully submitted,



Shawn A. Brown
Task Force Officer
Federal Bureau of Investigation

Subscribed and sworn to before me on February 28, 2020



Kathleen B. Burke
United States Magistrate Judge